

Exhibit 20

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15 UNITED STATES DISTRICT COURT
 16 NORTHERN DISTRICT OF CALIFORNIA
 17 SAN FRANCISCO DIVISION

19 ALPHA & OMEGA SEMICONDUCTOR,
 20 LTD., a Bermuda corporation; and
 ALPHA & OMEGA SEMICONDUCTOR,
 21 INC., a California corporation,

22 Plaintiffs and Counterdefendants,

23 v.

24 FAIRCHILD SEMICONDUCTOR
 25 CORP., a Delaware corporation,

26 Defendant and Counterclaimant.

27 AND RELATED COUNTERCLAIMS.

Case No. C 07-2638 JSW
 (Consolidated with Case No. C-07-2664 JSW)

**PLAINTIFFS' AND
 COUNTERDEFENDANTS' AMENDED
 DISCLOSURE OF ASSERTED CLAIMS
 AND PRELIMINARY INFRINGEMENT
 CONTENTIONS PURSUANT TO PATENT
 L.R. 3-1**

1 Plaintiffs and Counterdefendants Alpha & Omega Semiconductor, Ltd. and Alpha &
 2 Omega Semiconductor, Inc. (collectively, "AOS") hereby provide the following amended
 3 disclosures for U.S. Patent Nos. 5,767,567 ("the '567 patent") and 5,907,776 ("the '776 patent")
 4 pursuant to Patent Local Rules 3-1 and 3-2.

5 As an initial matter, AOS notes that under the schedule set by the Court and the parties in
 6 this matter, AOS is providing these disclosures while discovery from Defendant and
 7 Counterclaimant Fairchild Semiconductor Corp. ("Fairchild") is ongoing. Accordingly, AOS
 8 reserves the right to supplement these disclosures as it obtains further discovery from Fairchild or
 9 as otherwise permitted by the Court or the applicable rules. AOS has included reverse-
 10 engineering images with these disclosures, and by agreement of the parties, AOS waives no rights
 11 or privileges through this production.

12 **I. Patent Local Rule 3-1 Disclosures**

13 **A. Identification of Infringed Claims of the Patents-In-Suit**

14 In this litigation, AOS asserts that Fairchild infringes claim 7 of the '567 patent and
 15 claims 1-6, 10, 11, 13, 15, 16, and 25-28 of the '776 patent. AOS further asserts that Fairchild
 16 infringes U.S. Patent No. 5,930,630 ("the '630 patent"). These disclosures concern the '567 and
 17 '776 patents only. AOS previously served disclosures for the '630 patent.

18 **B. Identification of Accused Instrumentalities**

19 **1. '567 Patent**

20 Based on the information available to date, the Accused Instrumentalities that infringe the
 21 '567 patent include without limitation the methods that are used to manufacture the following
 22 Fairchild products, and all other Fairchild products employing a corresponding design:
 23 FDS6982S, FDS6675, FDS4435, and FDS8884 (collectively, "Accused '567 Patent Products"
 24 and "Accused '567 Patent Methods"). AOS reserves the right to supplement and/or amend this
 25 identification after receiving discovery from Fairchild, and as permitted under the applicable
 26 rules.

27 **2. '776 Patent**

28 Based on the information available to date, the Accused Instrumentalities that infringe the

1 '776 patent include without limitation the methods that are used to manufacture the following
 2 Fairchild products, and all other Fairchild products employing a corresponding design:
 3 FDP047AN08A0, FDS4435BZ, FDP3652, and FDS6675BZ (collectively, "Accused '776 Patent
 4 Products" and "Accused '776 Patent Methods"). AOS reserves the right to supplement and/or
 5 amend this identification after receiving discovery from Fairchild, and as permitted under the
 6 applicable rules.

7 **C. Claim Charts**

8 AOS previously served charts demonstrating the application of the asserted claims to the
 9 Accused Instrumentalities. *See* AOS's Supplemental Disclosure of Asserted Claims and
 10 Preliminary Infringement Contentions Pursuant to Patent L.R. 3-1 (served Oct. 19, 2007)
 11 ("AOS's Supplemental 3-1 Disclosures"), Exhs. A and B. In these disclosures, AOS provides
 12 amended charts that supersede the charts previously served by AOS. These are attached as
 13 Amended Exhibits A and B.

14 **D. Identification of Type of Infringement**

15 AOS believes that the Accused '567 Patent Products and Accused '776 Patent Products
 16 (collectively, "Accused Fairchild Products"), and the Accused '576 Patent Methods and Accused
 17 '776 Patent Methods (collectively, "Accused Fairchild Methods"), identified in the preceding
 18 sections literally infringe claim 7 of the '567 patent and each of claims 1-6, 10, 11, 13, 15, 16, and
 19 25-28 of the '776 patent. Even if a judge or jury were to conclude that an element of an asserted
 20 claim is not literally present in the Accused Products, or is not literally a step or combination of
 21 steps of the Accused Methods, AOS believes that the Accused Fairchild Products and Accused
 22 Fairchild Methods would still infringe each of those claims under the doctrine of equivalents
 23 because the Accused Fairchild Products and Accused Fairchild Methods would still include, at a
 24 minimum, an equivalent to each element of each asserted claim.

25 **E. Identification of Priority Dates**

26 AOS believes, at the present time, that none of the asserted claims of the '567 or '776
 27 patents are entitled to claim priority to an earlier application.

28

1 **F. AOS Products That Incorporate or Reflect the Claimed Inventions**

2 AOS previously disclosed a list of products that practice claim 7 of the '567 patent. *See*
3 AOS's Supplemental 3-1 Disclosures, Exh. C. AOS incorporates this list of products that practice
4 claim 7 of the '567 patent by reference.

5 **II. Patent Local Rule 3-2 Document Production**

6 AOS previously produced documents pursuant to Patent L.R. 3-2.

7

8 Dated: December 21, 2007

9 MORGAN, LEWIS & BOCKIUS LLP

10 By: 

11 Andrew J. Wu
12 Attorneys for Plaintiffs and Counterdefendants
13 ALPHA & OMEGA SEMICONDUCTOR, LTD.
14 AND ALPHA & OMEGA SEMICONDUCTOR,
15 INC.

CERTIFICATE OF SERVICE

I am employed in the City of Palo Alto, County of Santa Clara, State of California, I am over the age of 18 years and not a party to the within action. My business address is 2 Palo Alto Square, 3000 El Camino Real, Palo Alto, California 94306. On December 21, 2007, I caused copies of the attached document(s) described as follows:

**PLAINTIFFS' AND COUNTERDEFENDANTS' AMENDED DISCLOSURE OF
ASSERTED CLAIMS AND PRELIMINARY INFRINGEMENT CONTENTIONS
PURSUANT TO PATENT L.R. 3-1**

to be served on:

Eric Jacobs
Igor Shoket
Matthew Hulse
Leonard J. Augustine
Priya Sreenivasan
TOWNSEND & TOWNSEND
2 Embarcadero Center, 8th Floor
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Tel: 415.576.0200
Fax: 415.576.0300

X BY ELECTRONIC MAIL) The person whose name is noted below caused to be transmitted by electronic mail each such document to the addressee(s) noted above.

X (BY FIRST CLASS MAIL) I caused each such envelope to the addressee(s) noted above, with postage thereon fully prepaid, to be placed in the United States mail in Palo Alto, California. I am readily familiar with the practice of Morgan, Lewis & Bockius LLP for collection and processing of correspondence for mailing, said practice being that in the ordinary course of business mail is deposited in the United States Postal Service the same date as it is placed for collection; and

(BY FACSIMILE) The person whose name is noted below caused to be transmitted by facsimile each such document to the addressee(s) noted above; and

(BY PERSONAL SERVICE) The person whose name is noted below caused to be delivered by hand each such envelope to the addressee(s) noted above.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed at Palo Alto, California, on December 21, 2007.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed at Palo Alto, California, on December 21, 2007.


Denise Judilla

AMENDED EXHIBIT A - U.S. Patent No. 5,907,776

Claim 1	Accused '776 Patent Methods
1. A method of forming a semiconductor structure comprising the steps of:	AOS does not express a position at this time as to whether the preamble of this claim limits the claim's scope. Nevertheless, AOS identifies here those aspects of the Accused '776 Patent Methods that correspond to the preamble.
(a) providing a substrate having a major surface;	The Accused '776 Patent Methods are methods of forming a semiconductor structure. See, e.g., Images of FDP047AN08A0, FDS4435BZ, FDP3652, and FDS6675BZ (showing, in each, a semiconductor structure).
(b) forming at least one trench in said substrate;	The Accused '776 Patent Methods include the step of forming at least one trench gate in the aforementioned substrate. See, e.g., Images of FDP047AN08A0, FDS4435BZ, FDP3652, and FDS6675BZ (showing, in each, a trench gate "A" in substrate "B").
(c) forming a body region of a first conductivity type in said substrate,	The Accused '776 Patent Methods include the step of forming a body region in the aforementioned substrate. The resulting body region is of a particular conductivity type. See, e.g., Images of FDP047AN08A0, FDS4435BZ, FDP3652, and FDS6675BZ (showing, in each, a body region "C").
said body region having a diffusion boundary in said substrate;	The resulting body region also has a diffusion boundary in the aforementioned substrate. See, e.g., Images of FDP047AN08A0, FDS4435BZ, FDP3652, and FDS6675BZ (showing, in each, a body region "C" with a diffusion boundary "D").
(d) forming a source region of a second conductivity type in said body region; and	The Accused '776 Patent Methods include the step of forming a source region in the aforementioned body region. The resulting source region is of a different conductivity

	(e) compensating a portion of said body region by implanting material of said second conductivity type in said body region,	type from the body region. <i>See, e.g.</i> , Images of FDP047AN08A0, FDS4435BZ, FDP3652, and FDS6675BZ (showing, in each, a source region “E” in the body region “C”).
	said portion being proximal to said source region and spaced from said diffusion boundary of said body region and said major so as to reduce the impurity concentration of said first conductivity type in said portion of said body region.	The Accused ‘776 Patent Methods include the step of compensating a portion of the aforementioned body region. This step includes at least implanting dopants of the same conductivity type as the aforementioned source region. <i>See, e.g.</i> , Images of FDP047AN08A0, FDS4435BZ, FDP3652, and FDS6675BZ (showing, in each, a compensated body region “F”).
	Claim 2	Accused ‘776 Patent Methods
	2. The method of forming a semiconductor structure as set forth in claim 1 further including filling said at least one trench with N-type material.	Those of the Accused ‘776 Patent Methods used to manufacture Fairchild’s N-channel products include the step of filling at least one trench with N-type material.
	Claim 3	Accused ‘776 Patent Methods
	3. The method of forming a semiconductor structure set forth in claim 1 wherein step (a) includes providing a base substrate of said second conductivity type and forming an epitaxial layer of said second conductivity type above said base substrate.	In the Accused ‘776 Patent Methods, the aforementioned step of forming a substrate includes the steps of (1) providing a base substrate of the same conductivity type as the aforementioned source region and (2) forming an epitaxial layer of the same conductivity type as the source region above the base substrate. <i>See, e.g.</i> , Images of FDP047AN08A0, FDS4435BZ, FDP3652, and FDS6675BZ (showing, in each, a substrate “B” with a top surface).

Claim 4		Accused '776 Patent Methods
4. The method of forming a semiconductor structure as set forth in claim 1 wherein step (c) includes the substeps of ion implanting material of said body region in said substrate and thereafter diffusing said material of said body region in said substrate.		In the Accused '776 Patent Methods, the aforementioned step of forming a body region includes the steps of ion implanting dopants and subsequently diffusing the dopants in the aforementioned substrate. <i>See, e.g.,</i> Images of FDP047AN08A0, FDS4435BZ, FDP3652, and FDS6675BZ (showing, in each, a body region "C").
Claim 5	Accused '776 Patent Methods	
5. The method of forming a semiconductor structure as set forth in claim 1 wherein step (d) includes the substeps of ion implanting material of said source region in said substrate and thereafter diffusing said material of said source region in said body region.		In the Accused '776 Patent Methods, the aforementioned step of forming a source region includes the steps of ion implanting dopants and subsequently diffusing the dopants in the aforementioned body region. <i>See, e.g.,</i> Images of FDP047AN08A0, FDS4435BZ, FDP3652, and FDS6675BZ (showing, in each, a source region "E" in the body region "C").
Claim 6	Accused '776 Patent Methods	
6. The method of forming a semiconductor structure as set forth in claim 5 wherein step (e) includes ion implanting material of said second conductivity type in said body region at a predetermined distance from said source region.		In the Accused '776 Patent Methods, the aforementioned step of compensating a portion of the body region includes the step of ion implanting dopants of the same conductivity type as the aforementioned source region at a distance away from the source region. <i>See, e.g.,</i> Images of FDP047AN08A0, FDS4435BZ, FDP3652, and FDS6675BZ (showing, in each, a compensated body region "F").

Claim 10	Accused '776 Patent Methods
10. The method of forming a semiconductor structure as set forth in claim 1 further comprising forming a gate region formed of material of N-type conductivity dielectrically separated from said body region.	Those of the Accused '776 Patent Methods used to manufacture Fairchild's N-channel products further include the step of forming a gate region of N-type material. The resulting gate region is dielectrically separated from the aforementioned body region. See, e.g., Images of FDP047AN08A0, FDS4435BZ, FDP3652, and FDS6675BZ (showing, in each, a trench gate "A" insulated from the body region "C" and substrate "B").
Claim 11	Accused '776 Patent Methods
11. The method of forming a semiconductor structure as set forth in claim 1 wherein said first conductivity type is of N-type and said second conductivity is of P-type.	In the Accused '776 Patent Methods used to manufacture Fairchild's N-channel products, the first conductivity type, which is the conductivity type of the resulting body region, is of N-type conductivity; the second conductivity type, which is the conductivity type of the resulting source region, is of P-type conductivity.
Claim 13	Accused '776 Patent Methods
13. A method of forming a semiconductor structure having a trench gate with a gate threshold voltage, said method comprising the steps of:	AOS does not express a position at this time as to whether the preamble of this claim limits the claim's scope. Nevertheless, AOS identifies here those aspects of the Accused '776 Patent Methods that correspond to the preamble. The Accused '776 Patent Methods are methods of forming a semiconductor structure. See, e.g., Images of FDP047AN08A0, FDS4435BZ, FDP3652, and FDS6675BZ (showing, in each, a semiconductor structure).
(a) providing a substrate having a major surface;	The Accused '776 Patent Methods include the step of forming a substrate. The resulting substrate has a top surface. See, e.g., Images of FDP047AN08A0, FDS4435BZ, FDP3652, and FDS6675BZ (showing, in each, a substrate "B" with a top surface).

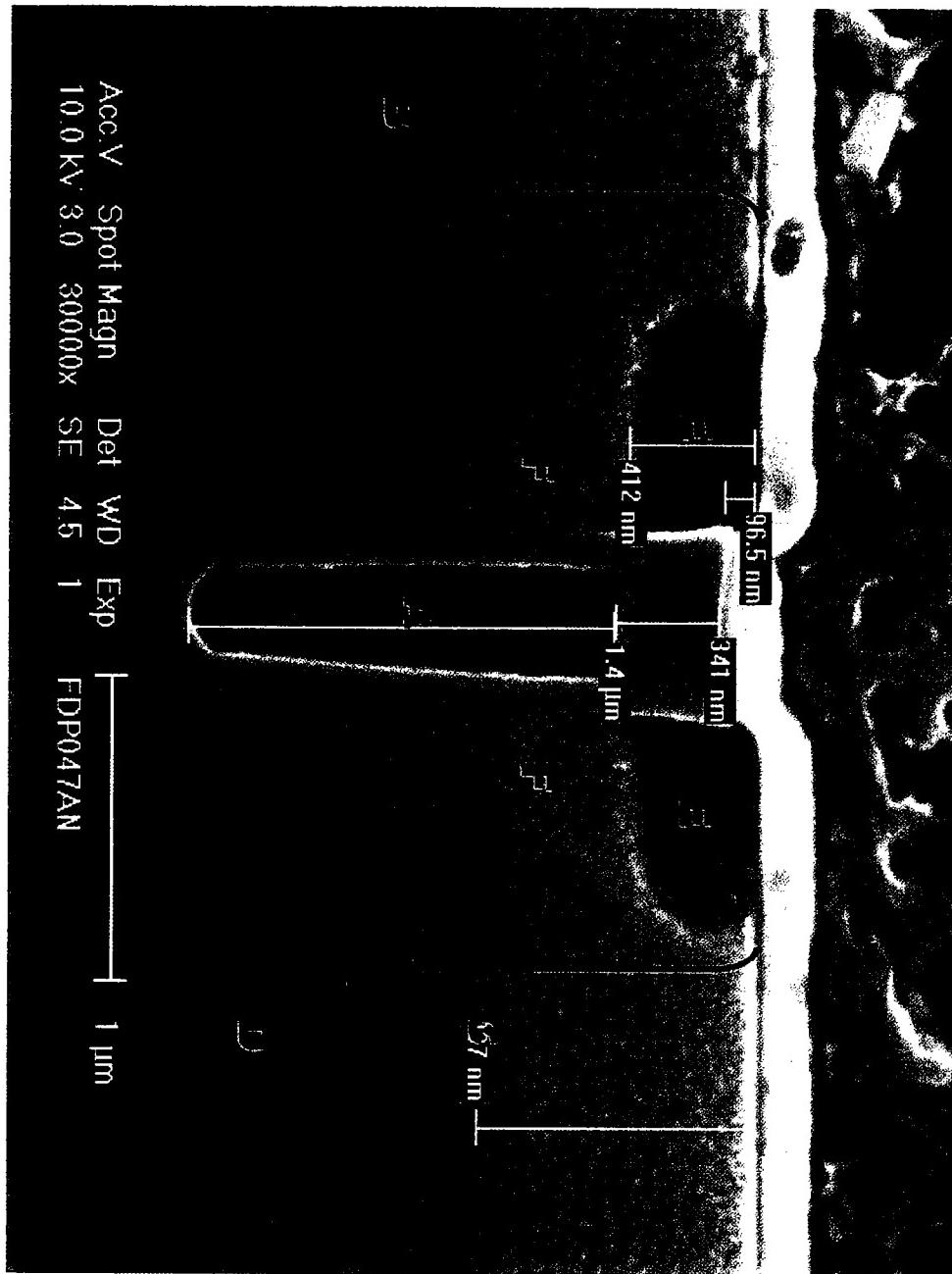
<p>(b) forming a body region of a first conductivity type in said substrate,</p> <p>said body region having a diffusion boundary in said substrate;</p> <p>(c) forming a source region of a second conductivity type in said body region; and</p> <p>(d) compensating a portion of said body region by implanting material of said second conductivity type in said body region</p>	<p>The Accused '776 Patent Methods include the step of forming a body region in the aforementioned substrate. The resulting body region is of a particular conductivity type. See, e.g., Images of FDP047AN08A0, FDS4435BZ, FDP3652, and FDS6675BZ (showing, in each, a body region "C").</p>
<p>adjacent to said source region and spaced from said diffusion boundary of said body region and said major surface such that the impurity concentration of said portion of said body region is substantially reduced so as to decrease the gate threshold voltage of said trench gate.</p>	<p>The resulting body region also has a diffusion boundary in the aforementioned substrate. See, e.g., Images of FDP047AN08A0, FDS4435BZ, FDP3652, and FDS6675BZ (showing, in each, a body region "C" with a diffusion boundary "D").</p> <p>The Accused '776 Patent Methods include the step of forming a source region in the aforementioned body region. The resulting source region is of a different conductivity type from the body region. See, e.g., Images of FDP047AN08A0, FDS4435BZ, FDP3652, and FDS6675BZ (showing, in each, a source region "E" in the body region "C").</p> <p>The Accused '776 Patent Methods include the step of compensating a portion of the aforementioned body region. This step includes at least implanting dopants of the same conductivity type as the aforementioned source region. See, e.g., Images of FDP047AN08A0, FDS4435BZ, FDP3652, and FDS6675BZ (showing, in each, a compensated body region "F").</p> <p>The compensated portion of the body region is near the source region but away from the aforementioned diffusion boundary and the aforementioned top surface of the substrate. See, e.g., Images of FDP047AN08A0, FDS4435BZ, FDP3652, and FDS6675BZ (showing, in each, the compensated body region "F" adjacent to the source region "E" and spaced from the diffusion boundary "D").</p>

Claim 15	Accused '776 Patent Methods
15. The method of forming a semiconductor structure as set forth in claim 13 wherein step (d) includes ion implanting material of said second conductivity type in said body region at a predetermined distance from said source region.	In the Accused '776 Patent Methods, the aforementioned step of compensating a portion of the body region includes the step of ion implanting dopants of the same conductivity type as the aforementioned source region at a distance away from the source region. See, e.g., Images of FDP047AN08A0, FDS4435BZ, FDP3652, and FDS6675BZ (showing, in each, a compensated body region "F").
Claim 16	Accused '776 Patent Methods
16. The method for forming a semiconductor structure as set forth in claim 15 wherein step (d) further including diffusing said compensated portion of said body region in said body region.	In the Accused '776 Patent Methods, the aforementioned step of compensating a portion of the body region includes the step of diffusing the compensated portion of the body region. See, e.g., Images of FDP047AN08A0, FDS4435BZ, FDP3652, and FDS6675BZ (showing, in each, a compensated body region "F").
Claim 25	Accused '776 Patent Methods
25. A method of forming a semiconductor structure having a gate with a gate threshold voltage, said method comprising the steps of:	AOS does not express a position at this time as to whether the preamble of this claim limits the claim's scope. Nevertheless, AOS identifies here those aspects of the Accused '776 Patent Methods that correspond to the preamble. The Accused '776 Patent Methods are methods of forming a semiconductor structure. See, e.g., Images of FDP047AN08A0, FDS4435BZ, FDP3652, and FDS6675BZ (showing, in each, a semiconductor structure).
(a) providing a substrate having a major surface;	The Accused '776 Patent Methods include the step of forming a substrate. The resulting substrate has a top surface. See, e.g., Images of FDP047AN08A0, FDS4435BZ, FDP3652, and FDS6675BZ (showing, in each, a substrate "B" with a top surface).

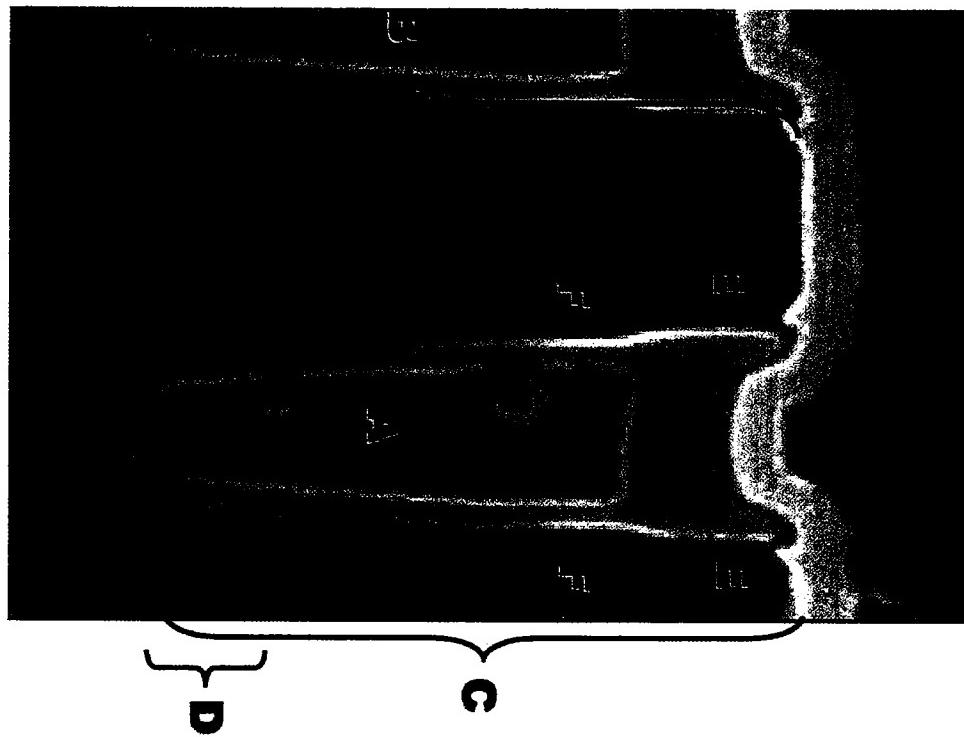
(b) forming at least one trench in said substrate extending from said major surface;	The Accused '776 Patent Methods include the step of forming at least one trench in the aforementioned substrate. The resulting trench extends from the top surface of the aforementioned substrate. <i>See, e.g.</i> , Images of FDP047AN08A0, FDS4435BZ, FDP3652, and FDS6675BZ (showing, in each, a trench gate "A" in substrate "B").
(c) forming a body region of a first conductivity type in said substrate	The Accused '776 Patent Methods include the step of forming a body region in the aforementioned substrate. The resulting body region is of a particular conductivity type. <i>See, e.g.</i> , Images of FDP047AN08A0, FDS4435BZ, FDP3652, and FDS6675BZ (showing, in each, a body region "C").
to a diffusion boundary extending from said major surface;	The resulting body region also has a diffusion boundary to which it extends in the substrate from the aforementioned top surface of the substrate. <i>See, e.g.</i> , Images of FDP047AN08A0, FDS4435BZ, FDP3652, and FDS6675BZ (showing, in each, a body region "C" with a diffusion boundary "D").
(d) forming a source region of a second conductivity type in said body layer extending from said major surface; and	The Accused '776 Patent Methods include the step of forming a source region in the aforementioned body region. The resulting source region is of a different conductivity type from the body region. The resulting source region also extends from the aforementioned top surface of the substrate. <i>See, e.g.</i> , Images of FDP047AN08A0, FDS4435BZ, FDP3652, and FDS6675BZ (showing, in each, a source region "E" in the body region "C").
(e) compensating a portion of said body region by implanting material of said second conductivity type in said body region	The Accused '776 Patent Methods include the step of compensating a portion of the aforementioned body region. This step includes at least implanting dopants of the same conductivity type as the aforementioned source region. <i>See, e.g.</i> , Images of FDP047AN08A0, FDS4435BZ, FDP3652, and FDS6675BZ (showing, in each, a compensated body region "F").

<p>adjacent to said source region and spaced from said diffusion boundary of said body layer and said major surface such that the conductivity of said portion of said body region is substantially reduced so as to decrease the gate threshold voltage of said gate.</p>	<p>The compensated portion of the body region is near the source region but away from the aforementioned diffusion boundary and the aforementioned top surface of the substrate. See, e.g., Images of FDP047AN08A0, FDS4435BZ, FDP3652, and FDS6675BZ (showing, in each, the compensated body region “F” adjacent to the source region “E” and spaced from the diffusion boundary “D”),</p>
<p>Claim 26</p>	<p>Accused ‘776 Patent Methods</p> <p>26. The method of forming a semiconductor structure as set forth in claim 25 wherein step (b) includes the substep of lining said trenches with insulating material and followed by another substep of filling said trenches with conductive material.</p>
<p>Claim 27</p>	<p>Accused ‘776 Patent Methods</p> <p>27. The method of forming a semiconductor structure as set forth in claim 26 wherein said conductive material is a N-type material.</p>
<p>Claim 28</p>	<p>Accused ‘776 Patent Methods</p> <p>28. The method of forming a semiconductor structure as set forth in claim 25 wherein step (e) includes ion implanting material of said second conductivity type in said body region at a predetermined distance from said source region.</p>

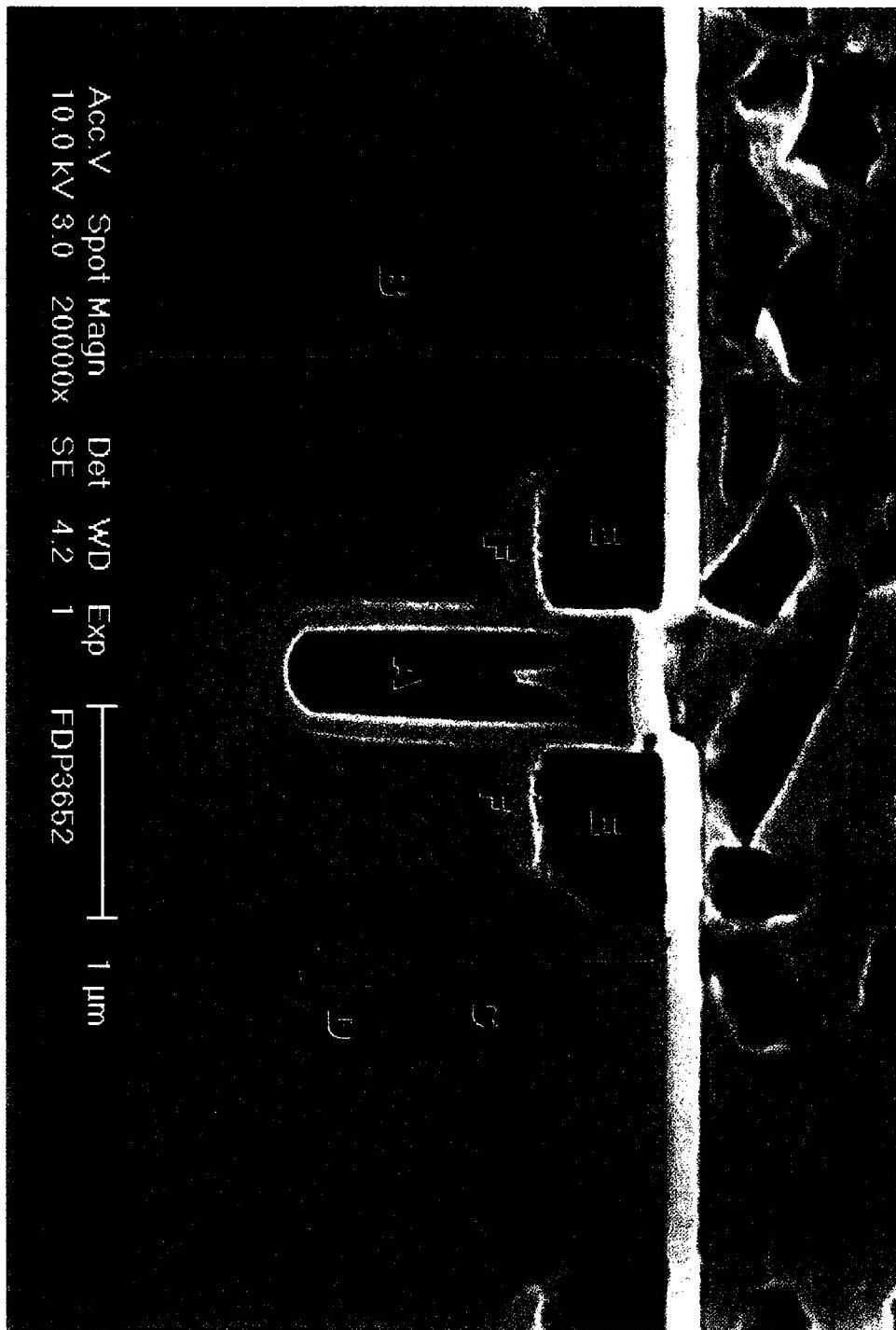
FDP047AN08A0 Image



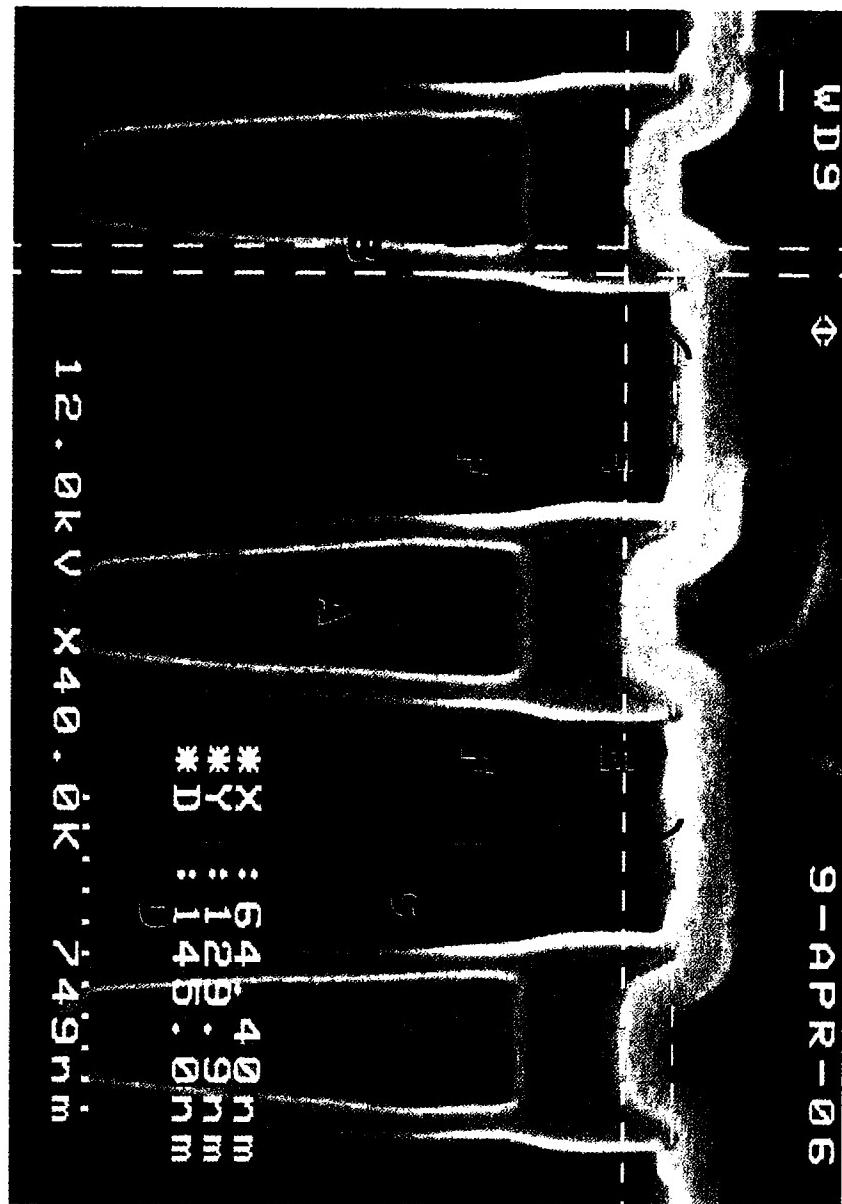
I-PAA/3682364.1



FDP3652 Image



1-PA/3682364.1



RDS6675BZ Image

Exhibit 21

TOWNSEND
and
TOWNSEND
and
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May 21, 2008

VIA ELECTRONIC MAIL AND U.S. MAIL

Brett M. Schuman
Morgan Lewis & Bockius LLP
One Market Street, Spear Street Tower
San Francisco, CA 94105

Re: Alpha & Omega Semiconductor, Ltd. v. Fairchild Semiconductor Corp.
Case No. C 07-2638 JSW (consolidated with Case No. C 07-2664 JSW)
Our File No. 18865P-021600

Dear Brett:

Recently, we discovered 56 additional devices on AOS's website that were either not disclosed on AOS's representative parts list and/or not included in Fairchild's Accused Part list (as they appear to be new parts). If AOS contends that some or all of these parts are not relevant to discovery in the current litigation, please let us know the basis for that contention. Otherwise, please immediately produce all relevant process flows, GDS files and all other technical documentation regarding these parts, to the extent that AOS has not already produced these documents.

The following parts have been newly discovered on AOS's website:

AO3438	AO3460	AO3702	AO4407A
AO4435	AO4484	AO4485	AO4488
AO4614B	AO4726	AO5401E	AO5404E
AO5600E	AO5804E	AO6401A	AO6404A
AO6422	AO6804	AO6808	AO6810
AO7414	AO8846	AOB440	AOD4128
AOD4136	AOD413A	AOD4184	AOD4185
AOD4189	AOD425	AOD454A	AOD609
AOI452	AOI472	AOL1413	AOL1422
AOL1712	AON2701	AON2801	AON3406
AON5802B	AON6410	AON6414	AON6708
AON6710	AON6712	AON7400	AON7406
AON7408	AON7700	AON7702	AON7704
AOT460	AOT462	AOT500	AO4852

TOWNSEND
and
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and
CREW
LLP

May 21, 2008
Page 2

If AOS contends that it has already produced documents that correspond to these parts,
please identify them by production number.

Best regards,


Priya Sreenivasan

PS/ldf

61371465 v1

Exhibit 22

Augustine Jr., Leonard J.

From: Sreenivasan, Priya
Sent: Monday, November 12, 2007 4:55 PM
To: 'hdoscher@morganlewis.com'; awu@morganlewis.com
Cc: bschuman@morganlewis.com; aspicer@morganlewis.com; rtautkus@morganlewis.com; rwilkins@morganlewis.com; ahoffman@morganlewis.com; Jacobs, Eric P.; Shoiket, Igor; Hulse, Matthew R; Augustine Jr., Leonard J.
Subject: Fairchild/AOS: Today's Meet and Confer

Dear Andrew and Harry:

This e-mail serves to memorialize our telephone conference that occurred at 3 p.m. today (11/12). In the first part of the teleconference, Eric Jacobs again raised the issue of both parties agreeing to provide discovery on representative parts. Eric's reasoning was that it would reduce the costs of discovery, litigation and eventually, those representative parts would be litigated at trial. Eric also suggested that each party could verify the opposing party's representative parts list through: 1) an interrogatory response that identifies the relevant manufacturing documents and which parts they represent and/or 2) a 30(b)(6) deposition regarding representative parts and/or 3) each party can send the opposing party a list of the parts that are representative in each category and the opposing party can randomly choose an agreed number of parts for which to obtain discovery. Andrew stated that the main concern for AOS was: 1) parts may be left off the list and 2) whether the parts are truly representative. Eric suggested that each party could take an early 30(b)(6) deposition to ensure that the parts are truly representative. Eric also suggested that this would save money and reduce discovery obligations and that this type of "representative parts" agreement has been in every semiconductor case that he has litigated. Eric further suggested that Andrew ask his client about the types of documents that AOS needs to prove its infringement case and to identify those specific documents for Fairchild. Andrew stated that he will talk to his team and his client and determine whether he can agree to the above issues.

The second part of the telephone conference was directed to AOS's new definition of "Accused Fairchild Devices" which was defined in the November 8, 2007, letter from Harry Doscher to Priya Sreenivasan. Eric raised the issue of whether the word "including" in the introduction of the definition was intended to be an open-ended "including without limitation." Andrew answered that they did not mean to say "without limitation" and that the list of items was complete. Eric stated that he wanted to make sure that the definition included a device made, used, sold, offered for sale or imported by Fairchild in the United States. Andrew stated that he was not sure if the parts had to be imported in the United States by Fairchild, as opposed to a customer. Eric stated that Fairchild needed to think about that definition. Eric asked Andrew what is a "power MOSFET-based" device. Andrew explained that it is any integrated circuit that includes a power MOSFET. Eric then stated that part (a) of AOS's new definition was too broad and covered far more than the '567 patent claims. David Schnapf of Townsend stated that the essential feature of the '567 patent is that you have subcontact areas and the subcontact areas have more than one lead wire. Andrew stated that if Fairchild has an alternative definition for part (a) of AOS's new definition, AOS would be willing to consider it. We agreed to provide AOS with an alternative definition to part (a). For part (b), David stated that the definition was also too broad and that we will provide another proposed definition for part (b). For part (c), David stated that the '630 patent requires 3 dopant implants into a body region. David further stated that if the definition for part (c) was changed from 2 body dopant implants to 3 body dopant implants, the definition would be acceptable to Fairchild. David stated that part (d) of AOS's new definition was overbroad so as to include any other device identified by AOS. Andrew stated that they had included part (d) as a part of their original discovery requests because they thought new patents may be added later and that at this point, AOS will consider whether it is still necessary to have part (d) of AOS's new definition. Finally, David stated that there should be an "and/or" between parts (b) and (c) of AOS's new definition.

Fairchild has agreed to provide AOS with a new definition of "Accused Fairchild Device" by tomorrow (11/13) at noon. Both parties have tentatively agreed to have a teleconference tomorrow at 2 p.m. to discuss the definition further.

Please let me know if this does not accurately reflect our discussion.

Regards,

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